

IN RE: PETITION FOR SPECIAL HEARING  
E/S York Road, 130' N of  
Thornhill  
(1515 York Road)  
8th Election District  
4th Councilmanic District  
Joseph A. Andresini and  
Gertrude Skopp - Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 92-242-SPH

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan in Case No. 81-146-SPH for existing improvements in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. Appearing as Protestants in the matter were Kenneth Hutchinson, Katy Thomsen, and Mrs. F. Kleiber, all residents of the area.

Testimony indicated that the subject property, known as 1515 York Road, consists of a gross area of 0.215 acres split zoned R.O. and D.R. 5.5 and is improved with a two-story office building. Said property was the subject of previous Case Nos. 78-155-XA and 81-146-SPH in which Petitioners were granted a special exception and variances for an office building and subsequent expansion of the second floor of said building. Petitioners are now desirous of selling the property and a review of the site plan revealed that five (5) parking spaces existing in the rear of the site were omitted from the previously approved site plan. Petitioners filed the instant Petition in order to correct the matter. Testimony indicated the subject parking spaces have existed on the site since the original development of the property as an office building, and as such, the relief requested is for existing improvements and will not result in any detriment to the health, safety or general welfare of the surrounding community.

The Protestants indicated their appearance was based on a concern that further improvements to the property were planned and testified that they have no objections to the relief requested provided no additional parking in the front of the building is permitted.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22nd day of January, 1992 that the Petition for Special Hearing to approve an amendment to the previously approved site plan in Case No. 81-146-SPH for existing improvements, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED subject to the following restrictions:

- 1) The Petitioners are hereby made aware that there is a 30-day appeal period running from the date of this Order. If, for whatever reason, this Order is reversed, the relief granted herein would be rescinded.
- 2) Petitioners shall not allow or cause more than four (4) vehicles to be parked in the front of the building at any time.
- 3) Within thirty (30) days of the date of this Order Petitioners shall submit a landscape plan for approval by the Deputy Director of Planning and the Landscape Planner for Baltimore County. A copy of the approved

plan shall be submitted to the Zoning Commissioner's Office for inclusion in the case file.

- 4) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

ORDER RECEIVED FOR FILING  
Date 1/22/92  
By 1589

- 3 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21201

January 22, 1992

(410) 887-4386

Mr. Joseph A. Andresini  
Ms. Gertrude Skopp  
1515 York Road  
Lutherville, Maryland 21093

RE: PETITION FOR SPECIAL HEARING  
E/S York Road, 130' N of Thornhill Road  
(1515 York Road)  
8th Election District - 4th Councilmanic District  
Joseph A. Andresini and Gertrude Skopp - Petitioners  
Case No. 92-242-SPH

Dear Mr. Andresini and Ms. Skopp:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Ms. Katy Thomsen  
1523 Pickett Road, Lutherville, Md. 21093

People's Counsel

File

## Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve to amend the approved site plan of Zoning Case #81-146-SPH

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Joseph A. Andresini

(Type or Print Name)

Signature

Gertrude Skopp

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Phone No.



OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING - 1/2HR. +1HR.  
AVAILABLE FOR HEARING  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER DATE  
REVIEWED BY: DATE

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## THE SHENK CORPORATION ENGINEERS AND SURVEYORS

43 EAST LEE STREET, BEL AIR, MARYLAND 21014

WILLIAM SHENK, P.E. - RONALD M. KEARNEY, PROPT. L.S.

November 19, 1980

PN 7701

### PARTICULAR DESCRIPTION ZONING SPECIAL HEARING

Beginning for the same at a pipe now set on the east side of York Road (Maryland Route 45) said pipe being 130.00 feet more or less measured along the east side of York Road from the center line of Thornhill Road, said pipe being also on the last line of that tract of land which by a deed dated 10 June 1974 was conveyed by C. Alan Peck Jr. and Glenn C. Peck, Sr. et.al., to C. Alan Peck and Franca F. Peck and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5532 folio 37, running thence binding reversely on the fourth, third and part of the second lines of the above mentioned deed the 3 following courses and distances as now surveyed viz:

- (1) North 54 - 30 - 46 East 146.03 feet to a pipe heretofore set,
- (2) South 35 - 29 - 14 East 50.00 feet to a pipe now set,
- (3) South 54 - 30 - 46 West 146.10 feet to a pipe now set on the east side of York Road, thence binding on the east side of York Road
- (4) North 35 - 24 - 35 West 50.00 feet to the beginning hereof. Containing 0.167 acres of land more or less.

Being a part of that tract of land which by a deed dated 10 June 1974 was conveyed by C. Alan Peck Jr. and Glenn C. Peck, Sr. et.al., to C. Alan Peck and Franca F. Peck and recorded among the Land Records of Baltimore County in Liber E.H.K. Jr. 5532 folio 37.



OFFICE COPY

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## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 7th Date of Posting: 1/22/92  
Posted for: Special Hearing  
Petitioner: Joseph A. Andresini & Gertrude Skopp  
Location of property: 1515 York Rd, 130' N of Thornhill Rd  
Location of Sign: Along York Rd, across E. Lee Rd, along York Rd  
Remarks: See map of property of Petitioner  
Posted by: MTW:bjs Date of return: 1/22/92  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12, 1992.

TOWSON TIMES,

S. Zeke Olson  
Publisher

\$78.67

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12, 1992.

THE JEFFERSONIAN,

S. Zeke Olson  
Publisher

\$78.67

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R 001-6150  
Number

Date

Cashier Validation

Please Make Checks Payable To Baltimore County

receipt

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R 001-6150  
Number

Date

Cashier Validation

Please Make Checks Payable To Baltimore County \$103.67  
BA 001144M01/27/92

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

DATE: 1-17-92

Joseph Andresini and Gertrude Skopp  
1515 York Road  
Lutherville, Maryland 21093

RE:  
CASE NUMBER: 92-242-SPH  
E/S York Road, 130' W of Thornhill Road  
1515 York Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Joseph Andresini and Gertrude Skopp

Dear Petitioner(s):

Please be advised that \$ 103.67 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID. ALSO, THE ZONING SIGN & POST SET(S) MUST BE RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon  
DIRECTOR

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 118, Baltimore County Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 92-242-SPH  
E/S York Road, 130' W of Thornhill Road  
1515 York Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Joseph Andresini and Gertrude Skopp  
HEARING: TUESDAY, JANUARY 21, 1992 at 9:00 a.m.

Special Hearing to amend the approved site plan of Zoning Case #81-146-SPH.

Lawrence E. Schmidt  
Zoning Commissioner of  
Baltimore County

cc: Joseph Andresini, et al

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

January 21, 1992

Mr. Joseph A. Andresini  
1515 York Road  
Lutherville, MD 21093

RE: Item No. 254, Case No. 92-242-SPH  
Petitioner: Joseph Andresini, et al  
Petition for Special Hearing

Dear Mr. Andresini:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committee Comments  
Date: January 21, 1992  
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys and/or engineers who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

Very truly yours,  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw  
Enclosures

Baltimore County Government  
Department of Permits and Licenses

111 West Chesapeake Avenue  
Towson, MD 21204 887-3610

Your petition has been received and accepted for filing this 10th day of December, 1991.

Arnold Jablon  
DIRECTOR

Received By:  
James E. Dyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Joseph A. Andresini, et al  
Petitioner's Attorney:

Maryland Department of Transportation  
State Highway Administration

January 10, 1992

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
County Office Building  
Towson, Maryland 21204  
Attn: James Dyer

RE: Baltimore County  
Zoning meeting of  
December 23, 1991  
Joseph A. Andresini Property  
E/S York Road  
MD 45  
130' north of Thornhill Road  
Item # 254

Dear Mr. Jablon:

We have reviewed the special hearing to amend the approved site plan of Zoning Case #81-146-SPH and find the plan acceptable.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,  
John Contestabile  
Chief  
Engineering Access Permits  
Division

LB/es  
cc: York Properties  
Mr. J. Ogle

RECEIVED  
JAN 14 1992  
ZONING OFFICE

My telephone number is 301-333-1350 (Fax# 333-1041)  
Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-462-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: January 14, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: December 23, 1991

This office has no comments for item numbers 254, 255, 257 and 259.

Rahee J. Famili  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd





# NOTES

1. SITE DATA: ELECTION DISTRICT: B  
COUNCILMANIC DISTRICT: 4  
CENSUS TRACT: 40062.02  
WATERSHED: 10  
SUBSEWERED: 29

2. SITE AREA: TOTAL GROSS AREA: 0.21500 (RD=0.0000, DR5.5=0.09700)  
TOTAL NET AREA: 0.17900 (RD=0.0000, DR5.5=0.09700)

3. ZONING: RD, DR5.5

4. PROPOSED USE: OFFICES - WITH AMENDED PARKING LAYOUT

5. NO EXISTING WELLS OR SEPTIC AREAS ON SITE.

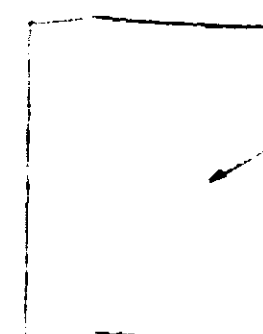
6. THERE ARE NO KNOWN WETLANDS, CRITICAL AREAS, ARCHAEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS WASTES ON SITE.

## 7. PARKING DATA:

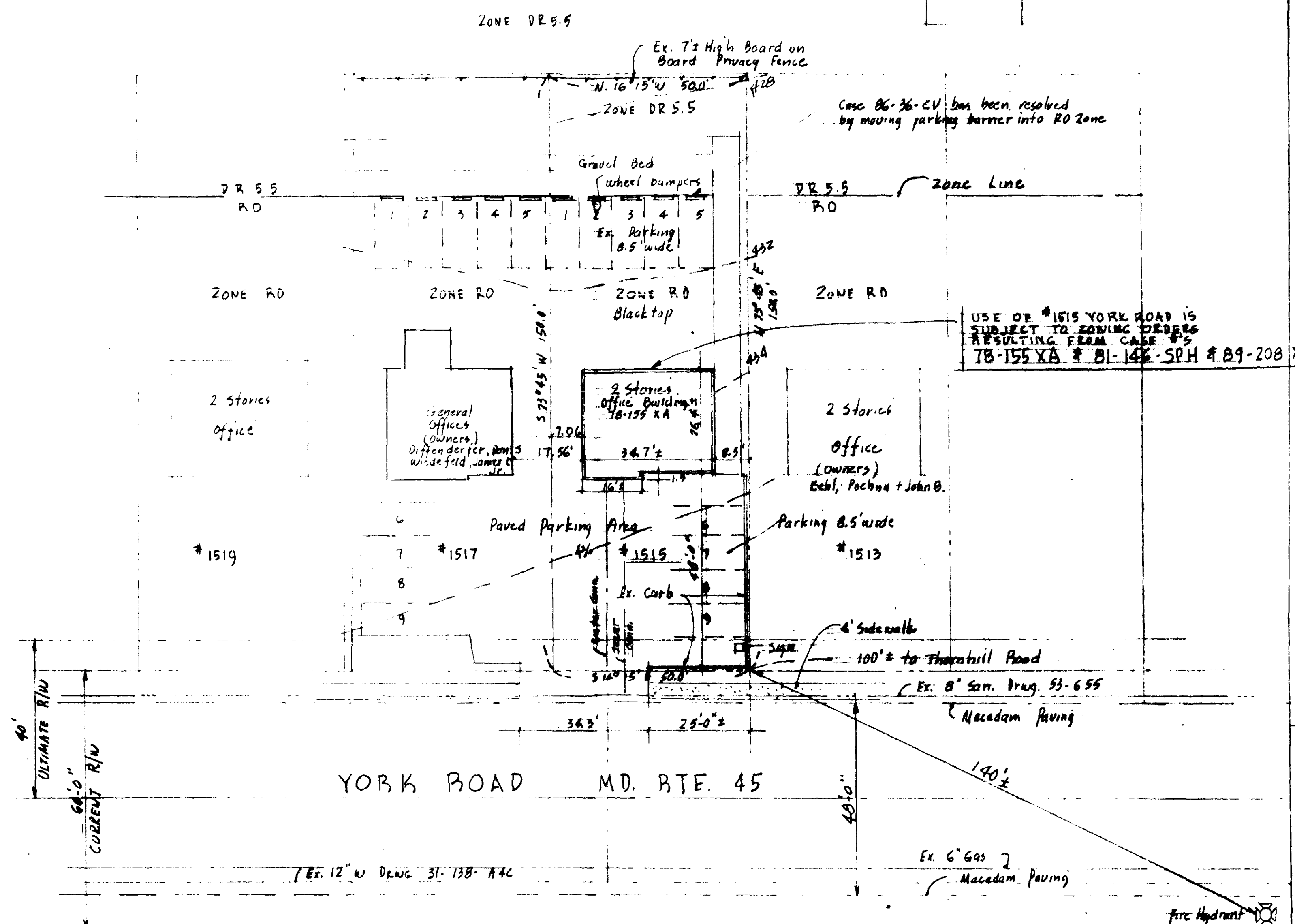
FIRST FLOOR 940 S.F.  
SECOND FLOOR 600 S.F.  
TOTAL 1040 S.F.

REQUIRED 2.3/1000 S.F. = 4.0 SPACES

8. EXISTING USE: OFFICE DR 16 WITH SPECIAL EXCEPTION USE AS GRANTED IN CASE 78-155-XA AND AMENDED IN CASE 81-140-SPH



Ex. 2 Story House



Note: Existing Paving, Parking, Landscaping, Screening and Fencing all previously Approved as Class A office site, and all parking as shown works in the field.

## SITE PLAN

Scale 1"=20'-0"

Waiver - W-85-48 June 19, 1985

Existing Building Constructed 1940

EXISTING RESTAURANT ZONE: 81

C.E. JULIO ET AL  
EXISTING SHOPPING CENTER ZONE: 81



ZONING MAP SCALE 1"=200'

## PETITIONER'S EXHIBIT

VICINITY MAP SCALE 1"=1000'

GENERAL OFFICE FOR YORK PROPERTIES  
1515 YORK ROAD, LUTHERVILLE, MD. 21093  
DISTRICT B  
DEVELOPMENT NAME

YORK PROPERTIES  
JOSEPH A. ANDRESINI - GERTRUDE SKOPP  
1515 YORK ROAD, LUTHERVILLE, MD. 21093

APPLICANT  
YORK PROPERTIES  
JOSEPH A. ANDRESINI - GERTRUDE SKOPP  
1515 YORK ROAD, LUTHERVILLE, MD. 21093

OWNER  
SITE PLAN FOR AMENDMENT TO APPROVED PLAT

TITLE 92-247-SPH

CHARLES VAUGHAN PIPPEN  
ARCHITECT, P.A.  
2015 POT SPRING ROAD  
TIMMONS - MARYLAND 21093

GENERAL OFFICES FOR YORK PROPERTIES  
1515 YORK ROAD, LUTHERVILLE, MD. 21093

